



COMMONWEALTH of VIRGINIA
Office of the Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: William L. Harp, MD
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: August 14, 2019

SUBJECT: *Regulations Governing the Practice of Physician Assistants*
18VAC85-50-10 *et seq.*

I have reviewed the amendment to the *Regulations Governing the Practice of Physician Assistants*, 18VAC85-50-10 *et seq.* The proposed amendment incorporates licensure by endorsement requirements for physician assistants licensed in other jurisdictions that are spouses of active duty members of the Armed Forces of the United States or the Commonwealth. This amendment is consistent with changes in the Code of Virginia following the passage of 2019 Va. Acts Ch. 338. This proposed amendment is exempt from the operation of the Virginia Administrative Process Act and review by the Executive Branch in accordance with Virginia Code § 2.2-4006(A)(4)(a), which provides an exemption for regulations “[n]ecessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.” Va. Code § 2.2-4006(A)(4)(a). The Board of Medicine has the statutory authority to amend this regulation under Virginia Code § 54.1-2400. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.

